

Attorney's Docket 021123-0282413

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
PETRA ZIEGLER ET AL.

Confirmation No: 2142

**RECEIVED
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MAY 18 2004

Application No.: 09/963,521

Group Art Unit: 1652

Filed: September 27, 2001

Examiner: D.M. Ramirez

Title: Nucleotide Sequences Coding for the *thrE* Gene and Process for the Enzymatic Production of L-Threonine Using Coryneform Bacteria

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICIAL

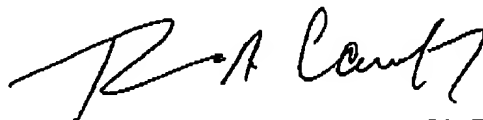
**CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. §1.8**

I hereby certify that the following papers (total 22 pages including this cover) are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on the date shown below:

Amendment/Response Transmittal;

Amendment and Response Pursuant to 37 C.F.R. §1.111

PILLSBURY WINTHROP LLP



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30453978v1

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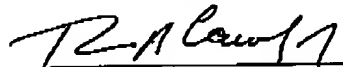
Examiner: D.M. Ramirez

For: NUCLEOTIDE SEQUENCES CODING FOR THE THREE GENE AND PROCESS
FOR THE ENZYMATIC PRODUCTION OF L- THREONINE USING CORYNEFORM
BACTERIA**OFFICIAL**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT/RESPONSE TRANSMITTAL**

Transmitted herewith is an amendment/response for this application.

FEESThe fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been
calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL	42	- 20	= 22	X \$ 18.00	= \$ 396.00
INDEP.	8	- 3	= 5	X \$ 86.00	= \$ 430.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 290.00	= \$ 0.00
TOTAL ADDITIONAL CLAIM FEE					\$ 826.00
GRAND TOTAL					\$ 826.00

FEE PAYMENTAuthorization is hereby made to charge the amount of \$826.00 to Deposit Account
No. 033975. Charge any additional fees required by this paper or credit any
overpayment in the manner authorized above. A duplicate of this paper is attached.Date: 18 May 2004
PILLSBURY WINTHROP LLP
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Thomas A. Cawley, Jr., Ph.D.
Reg. No. 40944

30453977v1

Attorney Docket: 021123-0282413

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Confirmation Number: 2142

ZIEGLER *et al.*

Application No.: 09/963,521

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Examiner: D.M. Ramirez

Title: NUCLEOTIDE SEQUENCE CODING FOR THE *thrE* GENE AND PROCESS FOR
THE ENZYMATIC PRODUCTION OF L-THREONINE USING CORYNEFORM
BACTERIA

May 18, 2004

AMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. §1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to an official action, dated February 24, 2004, wherein the pending claims were rejected under 35 U.S.C. §112, first and second paragraphs, and the judicially created doctrine of obviousness-type double patenting. The applicants respectfully traverse in view of the following amendments and remarks.